

REGULATION
FOR SIMPLE SUBDIVISIONS

PLANNING REGULATION NO. 11

DECEMBER 1965

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FREE ASSOCIATED STATE OF PUERTO RICO
OFFICE OF THE GOVERNOR
PLANNING BOARD

Administrative Bulletin No. 1091

P R O C L A M A T I O N
OF THE GOVERNOR OF THE FREE ASSOCIATED STATE
OF PUERTO RICO
REGULATION FOR SIMPLE SUBDIVISIONS
(PLANNING REGULATION NO. 11)

CONSIDERING, that the Planning Board of Puerto Rico adopted the Regulation for Simple Subdivisions (Planning Regulation No. 11) on August 19, 1965, under authority of Law No. 213 of 1942, as amended.

THEREFORE, I, ROBERTO SANCHEZ VILELLA, Governor of the Free Associated State of Puerto Rico, under the provisions of Law No. 213 of 1942, as amended, approve the Regulation for Simple Subdivisions (Planning Regulation No. 11), which will go into effect thirty days after its approval. The Planning Board shall comply with the provisions of Article 20 of Law 213 of 1942, as amended, by publication of a description in general form of this Regulation which will be of the greatest interest to, and effect on the public, in one or more newspapers of general circulation in Puerto Rico.

IN TESTIMONY OF WHICH, I sign this and
have it stamped with the Great Seal of
the Free Associated State of Puerto Rico,
in the city of San Juan, today, November
22, 1965.

ROBERTO SANCHEZ VILELLA
Governor

Promulgated in accordance with the law, today, November 22, 1965.

Adolfo Porrata Doria
Assistant Secretary of State

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INTRODUCTION

This regulation is the result of four basic realities experienced in the Planning Board in the daily consideration of cases of simple subdivisions.

The first, which is of extraordinary importance, is constituted by the fact that in this regulation there are brought together, in one single document, the standards and criteria for study and decision on subdivisions of a simple character. Even though a Regulation on Subdivision has existed, its provisions apply more to urbanization projects than to the formation of a modest number of building lots as is the case with subdivisions of a simple character.

In the second place, we have noted that there is a considerable difference with respect to the size of building lots, land uses and volume of construction between the majority of our towns and those which are within the metropolitan area of San Juan, Arecibo, Caguas, Mayaguez and Ponce. The first experience a slow economic development which is manifested in a limited volume of construction. It is not so with the second, which expand with a vigorous and accelerated economic and urban development.

In the third place, we have found that simple subdivisions have constituted one of the areas of conflict between the citizen of modest income and the Board, because of the absence of a full understanding of the purposes that are sought with the requirements for processing simple subdivisions. We wish to establish the fundamental principle of the continuity of working methods for the study of, and decisions on, simple subdivisions. This criterion should make it easier for the citizen to anticipate with clarity the work he must do to carry out a simple subdivision and should likewise simplify the decision with respect to which cases should require widening of the street, the

construction of a sidewalk and curbing as well as the provision of other services.

In the fourth place, the most important concepts of this Regulation are strengthened in the conceptual study carried out for the Board and published with the name of "San Germán - Year 2000", and in the experiences of a group of our technicians in the town of Naranjito. In both San Germán and Naranjito special problems of topography are presented which affect its urban character. We have found that the characteristics of these two towns are repeated in practically all the rest, which makes it indispensable to adjust our standards to what is truly possible on the ground. In this way we should reduce the number of situations in which the focus of our regulations are in disagreement with the physical, social and economic realities that are found in such municipalities.

In general terms, this regulation simplifies the process of simple subdivision, and it brings the basic elements of the decision closer to the citizen. In addition, it liberalizes the entire procedure of study and decision in areas such as the following:

- a) It grants an opportunity for formal subdivision of those building lots that have already been subdivided de facto at the time this regulation goes into effect;
- b) It reduces the minimum size of a subdividable building lot to only 100 square meters;
- c) It modifies the residential zoning in the towns in which this size of building lot can be permitted in the entire urban area. It likewise reduces the minimum size of building lots in rural areas;

- d) The works - expansion of streets, sidewalks, curbing, etc., shall be required only to maintain continuity in the sector where the subdivision occurs.
- e) A larger area of occupation is permitted, and along with it a larger area for construction, with modification of the requirements for patios in front, at the sides, and at the rear;
- f) Permission is given for subdivision with access to pedestrian pathways (callejones) with a roadway of only a meter and a half and an easement of four meters, which will facilitate the better use of hilly land.
- g) Authorization is given for the loan of technical services, such as for the preparation of sketches, measurements and inscription plans for families of very low income.
- h) It permits the consolidation of the survey and the inscription plan to facilitate the processing with the O. R. P.

On the other hand, an effort is made to initiate a mechanism of control that will protect the arterial highways of the country. With this, excessive construction along the sides of arterial highways can be avoided, maintaining the semi-express character of these roads and avoiding direct access to the subdivisions from these highways.

These novel changes in the Regulation should assist, without a doubt, in resolving with greater facility and speed cases of simple subdivision in the towns in which this regulation will be applied.

REGULATION FOR
SIMPLE SUBDIVISIONS

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TITLE I

GENERAL PROVISIONS

Article 1.- This Regulation shall be known as "Regulation for Simple Subdivisions".

Article 2. DEFINITIONS:-

A.- For the purposes of this Regulation, the following terms shall have the meaning that is stated in the following:

- 1).- Subdivision - Is the division or subdivision of a lot, piece or parcel of land in two or more parts, for sale, transfer, cession, lease, donation, usufruct, use, census, feoffment, or any other transaction, as well as for a new building, and it includes also urbanization as it has been used up to the present in Puerto Rican legislation, and, in addition, mere separation.
- 2).- Simple Subdivision - Division or subdivision of a piece of land in which there are already provided all the required works of urbanization or in which such works are simple and do not exceed ten (10) lots.
- 3).- Proponent - Any person, natural or legal, owner of a portion of land the subdivision of which he or his authorized representative plans to carry out.
- 4).- Roads - Paths, passageways, walks, roads, streets, highways, viaducts, bridges, avenues, boulevards,

express highways, and any other public access or part of such.

- 5).- Arterial Road - The express highways and roads, intended for rapid transit in inter-regional communication, for access to port zones, to industrial zones, or recreational zones, established by the Board by resolution to this effect.
- 6).- Existing access - Any public road, for pedestrian or vehicular traffic, that provides direct communication to any lot.
- 7).- Proposed access - Any new road or prolongation of an existing road, for pedestrian or vehicular traffic, proposed in a subdivision project, to provide direct communication with any of the lots.
- 8).- Urbanization works - Surfacing, paving, curbing on roads, sidewalks and other facilities and installations of public services such as: water distribution systems, rain sewers and sewage sewers, and lighting systems and distribution of electric energy.
- 9).- Essential works - The urbanization works that must be provided without considering the existing works in the vicinity of the subdivision.
- 10).- Urban Zone - The lands included within the limits of a current Zoning Map.

- 11).- Rural Zone - The area not included in the definition Urban Zone.
- 12).- Board - The Planning Board of Puerto Rico, created by Law 213 of 1942, as amended, known as "Planning and Budget Law of Puerto Rico".
- 13).- O.R.P. - Acronym for the Regional Offices of the Board.

Article 3.- APPLICATION

- A - This regulation shall apply to simple subdivisions in the urban zone and the rural zone of Puerto Rico with the exception of the areas that pertain to the cities and metropolitan zones whose urban population, in the 1960 census, exceeded 25,000 inhabitants. The Board may apply the provisions of this Regulation to the areas previously excluded, in projects the merits of which justify this, or when the Board judges the circumstances to be extraordinary.
- B.- The areas mentioned in the preceding, in which this Regulation shall not apply, shall be established by the Board by resolution to this effect.

Article 4.- EXEMPTIONS FOR THE RURAL ZONE

- A.- There shall be exempted from the provisions of this Regulation: subdivisions of farms in the rural zone, for agricultural purposes, when the area, of both the remainder as well as that of each new farm, is five (5) cuerdas [the cuerda is 0.97 acre] or larger. This provision does not apply to subdivisions situated

in areas in which the Board decides, by Resolution, that the possibilities of urban expansion require this and that the subdivisions are considered as special cases in accordance with the stipulations later on in Article 8, clauses A1 and A3.

Article 5.- PROVISIONS OF OTHER REGULATIONS

A.- The provisions of this Regulation shall be supplemented by regulations now in effect, it being provided that in cases where conflicts exist, the provisions of this Regulation shall prevail.

Article 6.- USE OF LANDS

A.- The design of the subdivision shall be adjusted to the most adequate general development of the area in which the piece of land to be subdivided is situated, as well as to the use or uses that the applicable regulations permit for the said lot or piece of land.

Article 7.- PLAN FOR THE NEIGHBORHOOD

A.- When it is considered useful for the most advantageous development of a neighborhood or area, the Board may prepare or require the proponent to prepare a general plan for the neighborhood, containing parcels belonging to different owners, taking into consideration, in addition to the physical design, applicable economic and social factors. In those cases in which there already exists a general plan of development, renewal or rehabilitation applicable to a particular area, any

projected subdivision shall be done in accordance with that plan.

Article 8.- SPECIAL CASES

A.- The subdivisions that require studies and special measures to protect the public interest shall be considered as special cases for the purposes of this Regulation. The projects in areas that present any of the following characteristics must be referred for the consideration and action of the Board:

- 1).-That constitute, or form part of, agricultural units or live-stock growing units of high productivity.
- 2).-That are essential for access, enjoyment or preservation of recreational resources, groves, panoramas and geological formations of exceptional beauty.
- 3).-Forests, waterfalls, canyons, rivers, lakes, lagoons and other areas that merit protection for the preservation of water sources.
- 4).-Mineral deposits, mines and quarries of appreciable real or potential economic value.
- 5).-That possess importance for the historical or cultural heritage of Puerto Rico.
- 6). That are of public interest because of their significant value for the preservation of the wild flora or fauna of economic, ecological or scientific importance.
- 7).-That are susceptible to floods, landslides,

avalanches or high seas.

8).- That are on the edges of express highways.

TITLE II

PROVISIONS CONCERNING LOTS

Article 9.- EXISTING LOTS

A.- Upon the application of the proponent, lots that are shown to exist on the date this Regulation goes into effect and have an access, shall be exempted by the O.R.P. [the Regional Offices of the Board] from compliance with the other provisions of this Regulation.

Article 10.- PROPOSED LOTS

A.- The formation of the lots must be projected in a way that provides each lot with a vehicular or pedestrian access and must be shaped so that the side boundaries are perpendicular to the access and so that the average dimension of the depth of the lot does not exceed three (3) times the width of the lot.

Article 11.- NUMBER OF LOTS

A.- Urban Zones: The following dimensions and areas may be authorized for building lots for residential uses, it being understood that in these cases the housing units must comply with the requirements here established:

- 1).- Minimum area: One hundred square meters.
- 2).- Minimum frontage: six (6) lineal meters.
- 3).- Areas of occupation on which construction may be placed:
 - a) Maximum area of occupation: fifty percent (50%) of the area of the lot.

- b) Maximum area of construction (gross area of floor space): One hundred percent (100%) of the area of the lot.
- c) In the case of buildings with one wall along the side boundary of the lot, the percentages of maximum area of occupation and maximum area of construction may be increased to fifty-five percent (55%) and one hundred and ten percent (110%), respectively.
- d) In cases of buildings with two walls along the side boundaries of the lot, the percentages of maximum area of occupation and of maximum area of construction may be increased to sixty percent (60%) and one hundred and twenty percent (120%), respectively.

4. Corner lots shall be projected with a width and size greater than the minimum established in order that the required patios may be observed.

B.- Rural Zones: Permission shall be given for lots for residential use with minimum areas of four hundred (400) square meters, in rural zones. As an exception, the Board may permit lots with minimum areas of two hundred and fifty (250) square meters, when the presence of one of the following factors, among others, makes advisable the more intensive use of the land:

1.- The proposed subdivision is orientated to save, for agricultural use, lands of high productivity.

2.- The proposed subdivision is in the vicinity of beach or recreational areas or areas of exceptional beauty.

3.- The proposed subdivision in settled areas where public facilities and installations permit and make recommendable an increase in the population density.

Notwithstanding the preceding, in all cases the minimum size permissible shall be conditioned by the topography and by the facility of disposing of sewage.

C.- Patios: In the subdivisions developed under the provisions of this Article, the following minimum dimensions for patios shall be observed:

1).- Front patio - One (1) lineal meter, excepting in cases in which the lot is situated in a square in which other buildings exist fronting on the same access, in which cases larger or smaller patios may be required to preserve the harmony of the group.

2).- Side and Rear Patios - For side and rear walls of the building which have doors or windows: two (2) lineal meters or one-fifth ($1/5$) of the height of the wall when this exceeds ten (10) meters in height.

3).- Walls constructed along side or rear lot lines shall be permitted, or a separation between such walls by patios smaller than those specified in the preceding paragraph, provided the walls are blind and made of incombustible material.

D.- Lots for non-residential uses:

- 1).- Commercial or industrial - The provisions concerning space specified for residential lots shall be applicable to lots intended for commercial and industrial uses that comply with the provisions of the laws and regulations that are applicable to them. In lots along highways in rural zones, buildings for commercial and industrial purposes shall have a minimum front patio of six (6) lineal meters, when the topographical conditions permit it.
- 2).- Institutional - Projects for the formation of lots intended for institutional uses such as: entities whose character is religious, civic, cultural, teaching, philanthropic or charitable shall be analyzed by the Regional Planning Offices which shall decide upon the requirements to be complied with, in conformity with the characteristics and merits in each case.

Article 13.- FRACTIONS

- A.- The separation of any fraction of land of dimensions and area less than the minimums stipulated in the preceding Article may be authorized for combination with another lot, provided that the remaining land conforms with the regulatory provisions in effect.

TITLE III

PROVISIONS CONCERNING ROADS

Article 14.- ARTERIAL HIGHWAYS

- A.- RIGHT-OF-WAY: The roads classified as arterial highways shall have a minimum right-of-way of fifty (50) lineal meters. Subdivisions along the edges of existing arterial highways with rights-of-way less than the minimum specified in the preceding, must dedicate a strip of land of the width necessary to complete the said right-of-way.
- B.- ACCESSES: Arterial highways shall not have access roads into simple subdivisions projected along their edges. The said subdivisions shall be referred for consideration and action by the Board as provided in Article 8.

Article 15.- EXISTING ROADS

- A.- In the roads that are subject to plans or projects for expansion, reconstruction or re-alignment, a right-of-way shall be required of the width for projected section.
- B.- Highways and roads that are not subject to specific plans or projects shall have the following rights-of-way, except in cases in which existing conditions justify narrower widths, in the judgment of the Regional Offices of the Planning Board:
- 1).- Primary State Highways - thirty (30) lineal meters

- 2).- Secondary State Highways - twenty (20) lineal meters.
- 3).- Municipal Highways - fifteen (15) lineal meters.
- 4).- Other roads for vehicular traffic -ten (10) lineal meters.

C.- Streets and pedestrian roads not subject to specific plans or projects and the widening of which is not necessary nor advisable in the judgment of the Regional Offices of the Planning Board, may be admitted as accesses with the sections that they already had.

Article 16.- PROLONGATION OF ROADS

- A.- Authorization may be given for subdivision projects that call for the prolongation of existing roads that are only for the purpose of completing the formation of squares that had been previously initiated, and the dimensions of rights-of-way, existing or projected, of the roads under consideration shall be maintained.
- B.- When the prolongation of an existing road implies the formation of new squares, the stretches pertaining to these shall be considered as if they concerned new roads.

Article 17. - NEW ROADS

- A.- Authorization may be given for projects that call for the formation of new roads of a strictly local character, such as streets and passageways or ped-

estrian paths.

B.- The layout of new roads shall be carried out in conformity with the following directives:

1).- Streets - shall be projected so they are adequately articulated to the existing network and to the development of the neighborhood. As far as possible, the streets shall be projected with the use of tracings in the forms of U, T, connections, and others that prove to be satisfactory for the purpose. Any dead-end street shall end with an appropriate area for vehicles to turn around, of a design acceptable to the O.R.P. (Regional Office of the Planning Board).

Article 18.- TRANSVERSE SECTIONS

A.- LOCAL STREETS IN THE URBAN ZONES:- The minimum dimensions for new streets shall conform to either of the two transverse sections described in the following:

1).- Local streets with parking strips.

- a - Total width - twelve (12) lineal meters
- b - Pavement - six (6) lineal meters
- c - Sidewalks - two (2) of one (1) lineal meter each
- d - Tree-shaded parking strips - two (2) of two (2) lineal meters each

2).- Local streets with sown areas:

- a - Total width - thirteen (13) lineal meters
- b - Pavement - eight (8) lineal meters.

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c - Sidewalks - two (2) of one meter and a quarter (1.25) width each

d - Sown areas - two (2) of one meter and a quarter (1.25) each

3).- Both in the sown areas and in the tree-shaded parking strips, the placing of systems of electric energy distribution and public lighting shall be permitted.

B.- LOCAL STREETS IN RURAL ZONES: The minimum right-of-way for new streets in the rural zones shall be ten (10) lineal meters.

C.- PEDESTRIAN ACCESSES

1). - The transverse section for new pedestrian accesses shall conform with the following minimum dimensions:

a - Total Width - four (4) lineal meters

b - Sidewalk - one and a half (1.50) lineal meters.

2).- Parking: In projects in the urban zone with pedestrian accesses, parking areas shall be provided accessibly situated with relation to the lots. Their surface dimensions shall be a minimum of ten (10) square meters for each one hundred (100) square meters of surface intended for the lots. When the topography of the land makes the provision of this area for parking impossible, an equivalent area shall be dedicated and prepared for other

appropriate public use.

Article 19.- SLOPES

A.- Public roads shall have a minimum slope of one-half of one percent (0.5%). The maximum slope for the following types of public roads are specified as follows:

1).- Local Streets - fifteen percent (15%)

2).- Pedestrian accesses - twenty percent (20%)

B.- When topographic conditions justify it, slightly greater slopes may be authorized.

Article 20.- RADIUS OF CURVES, DISTANCES BETWEEN, AND VERTICAL CURVES

A.- The minimum radius of curves in local streets, taking the axis of the curve, shall be twenty (20) lineal meters. Between a curve and a counter-curve, there shall be a straight stretch or tangent the minimum length of which shall be ten (10) lineal meters.

b.- Any change in the slope in a local street, in which the algebraic difference of slope is one-half of one percent (0.5%) or more, shall be softened by a vertical curve of a minimum length of fifteen (15) meters. When the algebraic difference of the said percentages is more than eight percent (8%), the vertical curves shall be computed on a basis of visibility of sixty (60) meters, presuming that the line of vision of the driver is a meter and half (1.50) above the pavement.

Article 21.- INTERSECTIONS

A.- At the intersection of local streets, the corners of the property line shall be rounded off with a minimum arc of a radius of three and a half (3.50) meters, and the curbing shall be projected in a circular form with a minimum radius of six (6) meters.

Larger radiuses may be required when the angle of the intersection is less than sixty (60) degrees or in those cases of intersections in public highways the character of which is not strictly local.

B.- The strip between the sidewalk and the pavement shall be interrupted at the corners, between the points of tangents of the arc specified in the preceding part of this Article, the sidewalk being projected, between those points, from the property limit to the curbing.

TITLE IV

URBANIZATION WORKS

Article 22.- INDISPENSABLE WORKS:

A. - It shall be indispensable that the slopes of the roads permit a satisfactory drainage. The design of lots should produce the most adequate possible drainage. The following works, in addition, shall be indispensable:

- 1).- When the lots are for residential use and the area of each lot is four hundred (400) square meters or less in urban zones, or larger than eight hundred (800) square meters in rural zones, the hard-surfacing of vehicular and pedestrian accesses shall be indispensable.
- 2).- In lots for residential uses the areas of which exceed four hundred (400) square meters in urban zones, and in lots for commercial and industrial uses, there shall be required, in addition, the construction and paving of not less than six (6) meters for vehicular accesses and one and half (1.50) meters for pedestrian accesses.
- 3).- When the area of the projected lots is two hundred (200) square meters or less, the provision of a sewage system shall be indispensable.

B.- In subdivisions for livestock production, it shall be indispensable to provide at least dirt roads for the vehicular traffic.

Article 23. - EXPANSION OF EXISTING WORKS

A. - In addition to the indispensable works in the preceding article, the expansion of urbanization works that have existed in the near vicinity of the subdivision must be carried out in conformity with the following specifications:

- 1). - Existing roads - The urbanization works that exist at a distance equal to, or less than the length of the frontage of the lots to be subdivided, measured from the extremities of the project, shall be provided for all the proposed lots.

When the existing access intersects another road, and the resulting distance between the intersected road and the closest extremity of the land to be subdivided is less than the frontage of the lots to be subdivided, the works in the intersected road shall be considered as existing.

When an existing access is subject to widening, the works shall be carried out in accordance with the projected transverse section or the minimum established transverse section.

- 2).- Prolongation of roads - In subdivisions in which the required accesses imply the prolongation of roads, the existing works shall be extended in the road that is intersected or prolonged.

3).-New Roads - In subdivisions the proposed accesses to which constitute new roads, there shall be extended to these the urbanization works that exist in the roads with which they will be directly connected.

4).-In the cases specified in clauses 1 to 3, when the projects contemplate the formation of lots on only one side of a road, there shall be no requirement for the provision of sidewalks, curbing or safety strips on the other side. In these cases, the surface of the roadway may be six (6) lineal meters in width.

TITLE V

PUBLIC USE AREAS

Article 24. - RIGHT-OF-WAYS

- A. - In subdivisions in which the proposed accesses are new roads or existing roads that require prolonging, expansion or re-alignment, there must be dedicated for public use the areas affected by the pertinent rights-of-way. The transfer of these areas shall be under the responsibility of the municipality or state agency that has charge of administration and maintenance of these areas.
- B.- En those cases in which the layout of a future public road affects a part of the land that is to be subdivided, this must be taken into consideration in the project. When this is not used as an access, only the reservation of the affected area shall be required.

Article 25. - GREEN STRIPS

- A.- In subdivisions along the edges of rivers, creeks, canyons or other bodies of water, a strip of land shall be dedicated for public use with a minimum width of five (5) lineal meters on each such side of the bed of such body of water. The said minimum width shall be expanded or reduced by the O.R.P. when the existing topographical conditions make this recommendable.
- B.- In subdivisions that front on beaches, there shall be

reserved for public use a strip of land fifty (50) lineal meters wide the length of the beach and roads shall be set aside that will guaranty free access and public use of the said beaches.

C.- Provided that it is practicable, the access to lots proposed along the edge of a body of water shall be provided between the lots and the strip for public use. The O.R.P. may permit the width of the strip for public use to be considered as partially or entirely a part of the right-of-way of access.

TITLE VI

PROCESSING

Article 26.- REQUIRED INFORMATION

A.- The proponents of projects for simple subdivisions shall submit the following basic documentation:

- 1).- Form concerning "Project of Simple Subdivision (JP Form No., LS)
- 2). Sketch or plan of the proposed subdivision, indicating its characteristics, such as:
Location, bordering properties, dimensions, and areas of lots, existing and proposed accesses, existing buildings and bodies of water.

Article 27. - TECHNICAL ORIENTATION

A.- At the request of the proponent, the O.R.P. may lend the technical orientation necessary on a project in order to obtain better use of the land.

B.- When it concerns people of low income and the subdivision is for residential purposes, the O.R.P. may lend the necessary technical assistance to carry out drainage tests, surveying of lands, and preparation of inscription plans.

Article 28. - ACTION

A.- PLACE OF INITIATION: Projects for the subdivision of lands to which this Regulation is applicable shall be initiated in the O.R.P. (Regional Offices of the Planning Board).

- B. - LENGTH OF TIME: After the initiation of a project, the O.R.P. must issue its decision, by a resolution in the matter, within a period of sixty (60) days.
- C.- SPECIAL CASES: When a project, because of the special characteristics it presents, must be referred to the Board for consideration, in conformity with the provisions of Article 8 of this Regulation, the O.R.P. must communicate to the proponent, within the indicated period, the reasons for the adoption of such a measure and the additional procedures that this requires.
- D.- ADDITIONAL INFORMATION: In cases in which it is considered necessary to define precisely the boundaries of the land or any other of its points of reference or that is necessary to dedicate land for public use, the O.R.P. may require the presentation of a survey or inscription plan. The O.R.P. may, in addition, require any other additional information, which must be presented to the said office within the period stipulated by that office. When this period has expired, the O.R.P. or the Board may take appropriate action, taking as a basis the available information.
- E.- ENDORSEMENTS: The O.R.P. may require the endorsement of the pertinent Municipal Government or of the Department of Public Works in cases of highway works; of the Authority of Aqueducts and Sewers for works related with the system of water distribution or sewage disposal; and of the Authority on Water Sources

or any other local entity in charge of the system of distributing electric energy, for the works related to the systems of electric distribution and public lighting, and the endorsement of any other governmental agency that proves to be pertinent.

Article 29.- REQUIREMENTS OF WORKS

A.- When, for final action concerning a project of subdivision, the construction of urbanization works is required, the O.R.P. shall issue a resolution concerning "Requirements of Works". This anticipatory action will authorize the proponent to carry out the said works with the endorsement of the governmental organizations concerned. The final approval of the project shall be subject to the completion of the works or to the guaranty of their completion by performance bond, as established further on, in Article 31.

The resolution shall have a validity of one (1) year from the date of its issuance. At the request of the proponent, the period of validity may be extended for a period of not more than six (6) months in cases in which such a measure does not prove to be prejudicial to the public interest. The resolution issued under the provisions of this article does not authorize the proponent to inscribe or to sell the proposed lots.

Article 30.- EXECUTION AND APPROVAL OF THE URBANIZATION WORKS

A.- NOTIFICATION: The proponent shall notify the O.R.P. one (1) week in advance of the date on which work

will be initiated on the required urbanization and construction. The O.R.P. in turn shall communicate that date to the regional and local offices of the agencies or governmental entities who are to be responsible for the supervision of the works.

B.- SUPERVISION: The functionaries charged with the responsibility for supervising the construction of the urbanization works shall require from the proponents the correction of deficiencies they may find, notifying in detail the pertinent O.R.P. when these deficiencies are not duly corrected.

C.- APPROVAL: Upon the completion of the urbanization works, the proponent shall notify the O.R.P., which, if there is no objection of the part of any governmental agency or entity, shall carry out the final inspection. Upon finding the works acceptable, it shall issue the pertinent resolution authorizing the inscription of the lots. In this resolution, there shall be a statement of the uses proposed for such lots.

Article 31.- BONDS

A. - Instead of the completion of the works, the O.R.P. may accept performance bonds for them. The presentation and/or execution of the said bond shall be governed by the provisions of Article 10 of Law No. 213 of May 12, 1942, as amended.

Article 32. - VARIATIONS

- A.- The Board or the O.R.P. may authorize variations in the requirements of this Regulation in cases in which, due to special and extraordinary circumstances, a literal application of the provisions would result in the prevention or unreasonable limitation on the advantageous use of the property.

Article 33.- RECONSIDERATION OF CASES

- A.- APPLICATION: Any interested party may apply to the Board or the O.R.P. for the reconsideration of a case, within a period of time that does not exceed thirty (30) days, counting from the date on which they were notified of the decision adopted.
- B.- HEARINGS: In cases of reconsideration, the Board or the O.R.P. may carry out public hearings with the participation of the interested parties, as well as any other persons that it may be judged pertinent to summon, consonant with the procedures established by the Board.
- C.- ACTION: After carrying out the public hearings, the Board or the O.R.P. shall take the pertinent action within thirty (30) days following the hearings.

Article 34. - APPEALS

- A.- The agreements or resolutions of the O.R.P. shall be subject to the same procedures of appeal and review as the actions and resolutions of the Board.

TITLE VII

OTHER PROVISIONS

Article 35.- EASEMENTS

- A.- The Board or the O.R.P. shall require the establishment of easements, formalized with a public document or in any other form permitted by the laws in effect, of three (3) meters in width or more, at a distance of one and a half (1.5) meters or more from the rear and side boundaries of the lots, when it is necessary and appropriate, for electric lines, conduits, rain drains and sewer pipes, water pipes and other services, unless public alleys are provided for these purposes. Easements of equal or greater widths may be required along the side boundaries or behind the lots, when this is necessary for existing or projected services.

Article 36.- EASEMENTS FOR PASSAGE

- A.- Easements for passage for access may be approved when the circumstances in the case merit this.

Article 37. - SERVICES AND MAINTENANCE

- A.- When the urbanization works are completed and the subdivision is approved, all new roads will have status as public roads, and the municipality, agency or pertinent entity shall give these services and maintenance.

Article 38.- CONTROLS

- A.- The Permit Official and the O.R.P. shall make certain of compliance with the provisions contained in this

Regulation and shall not authorize any permits for construction on lots that are not duly approved and and that do not conform with the conditions specified in the resolution of approval.

B.- Any public document or private contract for sub-development shall be without effect if such subdivision has not been submitted previously to the Board or the O.R.P. and unless it has been approved by them, except in cases in which this is permitted by the applicable laws and regulations.

Article 39. - INFRACTIONS

A.- Any person who violates the provisions of this Regulation shall be guilty of a misdemeanor, and when found guilty, shall pay a fine of not less than twenty-five (25) dollars nor more than three hundred (300) dollars and an additional fine of the same amount for each building constructed or maintained, or which has been permitted to be constructed or maintained, or for each lot, piece of land or parcel or interest such land that has been transferred, sold, leased, or agreed to sell or lease. For each day and during all the days that such violation persists, it shall be considered that a separate misdemeanor has been committed.

The period of prescription of said infraction shall be five (5) years. The Secretary of Justice of Puerto Rico, any police officer or any functionary of

the Board in the name of the People of Puerto Rico may formulate the pertinent denunciation, and, at the request of the Board, the Secretary of Justice must prevent such violation by a recourse of interdiction or by any other procedure in any court of competent jurisdiction.

No Registrar of Property shall accept for inscription any plan of subdivision that has not been finally approved and signed by the Board or the O.R.P., nor any transfer or agreement to transfer a parcel of land nor an interest in such parcel, within a subdivision, unless the final plan or the preliminary plan approved by the Board or the O.R.P. has been approved or this requirement has been the subject of a [formal] dispensation.

Article 40.- TERMS EMPLOYED

A.- All words used in the singular in this Regulation shall likewise be understood to include the plural when its use is justified; in like manner, the masculine shall include the feminine; and the word "person" shall include both natural and legal persons as well as association, corporation or any other entity.

Article 41.- RESERVATION

A.- If a court should declare unconstitutional any provision of this regulation, the said decision shall not affect the rest of the regulation.

Article 42.- TIME OF GOING INTO EFFECT

A.- This Regulation, and the amendments to it, shall

go into effect thirty (30) days after its approval by the Governor of Puerto Rico, as provided by Law.

N O T E:

This Regulation was approved by the Hon. Governor of Puerto Rico, according to Administrative Bulletin No. 1091, on November 22, 1965. Therefore, in accordance with the provisions of law, it will enter into effect on December 22, 1965.

R E S O L U T I O N S

Free Associated State of Puerto Rico
Office of the Governor
PLANNING BOARD OF PUERTO RICO
Santurce, Puerto Rico

Resolution P-156

August 19, 1965

REGULATION FOR SIMPLE SUBDIVISIONS

"In conformity with the provisions of Law No. 213 of May 12, 1942, as amended, the Planning Board of Puerto Rico, for the purposes of:

- 1) Liberalizing the requirements and procedures to which projects of simple subdivision are subjected;
- 2) Providing incentives for the development of lots of moderate price for families of low income;
- 3) Authorizing the organization of space of an urban character to propitiate the humanizing of populated centers;

Therefore, APPROVES AND ADOPTS, on August 19, 1965, the Regulation for Simple Subdivisions.

It being provided that, under authorization of the provisions of Article 3 of the said Regulation, and considering that the cities of larger size and the metropolitan areas require special attention and treatment that exceed the intent of the Regulation in question, this Regulation shall apply within the territorial limits of Puerto Rico, with the exception of the zoned areas on the Zoning Maps of Ponce, Mayaguez, Caguas and Arecibo, and the Metropolitan Area of San Juan, which includes the zoned area in the Zoning Map of San Juan, Bayamón, Guaynabo, Trujillo Alto, Carolina y Cataño, and the Adjacent Zones of Palo Seco and Sabana Seca".

I CERTIFY: That the preceding is a faithful and exact copy of the Resolution adopted by the Planning Board of Puerto Rico in its meeting on August 19, 1965, and for its public announcement and general use, I issue this on the same date over my signature and the seal of the Board in San Juan, Puerto Rico.

HARRY MALDONADO
Secretary

Free Associated State of Puerto Rico
Office of the Governor
PLANNING BOARD OF PUERTO RICO
Santurce, Puerto Rico

Resolution P-157

August 19, 1965

ESTABLISHING THE ROADS WHICH, FOR THE PURPOSES OF THE REGULATION
ON SIMPLE SUBDIVISIONS, SHALL BE CLASSIFIED
AS ARTERIAL HIGHWAYS

In conformity with the provisions of Law No. 213 of May 12, 1942, as amended, and in harmony with Article 2 of the Regulation for Simple Subdivisions, and for the purpose of application of the said Regulation, the Planning Board of Puerto Rico, meeting on August 19, 1965, AGREES AND PROVIDES that the following roads that appear on the Map of State Highways shall be classified as Arterial Highways:

1. Highway PR-1, from the southern limit of the zoned area of Rio Piedras to the northern limit of the zoned area of Caguas.
2. Highway PR-1, from the eastern limit of the zoned area of Ponce to the intersection with PR-3 at Salinas, and Highway PR-3 from the said intersection to the intersection with PR-15 at Guayama.
3. The stretch of Highway PR-1 known as The Bypass of Cayey.
4. Highway PR-2, from the western limit of the zoned area of Bayamón to the eastern limit of the zoned area of Arecibo, and from the western limit of the zoned area of Arecibo to the intersection with the new PR-2 in the vicinity of the Hospital of the District of Aguadilla.
5. The new highway PR-2, from its intersection with the old PR-2 in the vicinity of the Hospital of the District of Aguadilla to the northern limit of the zoned area of Mayaguez, and from the southern limit of the zoned area of Mayaguez to the western limit of the zoned area of Ponce.
6. Highway PR-3, from the eastern limit of the zoned area of Carolina up to and including the Bypass of Fajardo.
7. The new highway PR-30, from the eastern limit of the zoned area of Caguas up to the intersection with PR-3 in Humacao.

I CERTIFY: That the preceding is a faithful and exact copy of the Resolution adopted by the Planning Board of Puerto Rico in its meeting on August 19, 1965, and for its public announcement and general use, I issue this on the same date over my signature and the seal of the Board at San Juan, Puerto Rico.

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Time of going into effect: This resolution shall go into effect thirty (30) days after the approval by the Governor of Puerto Rico of the Regulation for Simple Subdivisions.

HARRY MALDONADO
Secretary

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